

Congress of the United States
Washington, DC 20515

August 21, 2020

The Honorable Chad F. Wolf
Acting Secretary
Department of Homeland Security
Washington, DC 20528

RECEIVED

By ESEC External at 2:41 pm, Aug 24, 2020

Mr. Joseph Edlow
Deputy Director for Policy
U.S. Citizenship and Immigration Services
20 Massachusetts Avenue, NW
Washington, DC 20001

Dear Secretary Wolf and Deputy Director Edlow:

We write to urge the delay of planned furloughs and contract cancellations for U.S. Citizenship and Immigration Services (USCIS). USCIS has sufficient funding to continue its operations without interruption through this fiscal year and into the beginning of fiscal year 2021.

The USCIS financial situation has improved considerably since the agency first made Congress aware of a potential need for emergency appropriated funds. As of August 12, 2020, USCIS projects that after funding necessary payroll and other operational expenses, the agency will carry over more than \$230 million into fiscal year 2021 and more than \$110 million will be carried into November. These updated projections by the agency reflect an increase in revenue and recoveries totaling over \$800 million more than anticipated in the agency's May notification to Congress.

The most recent USCIS Immigration Examinations Fee Account (IEFA) projections for costs not reimbursable with premium processing fees indicate that USCIS will not experience a deficit in operational funding until at least November 2020. As a result, the agency does not need to furlough employees or to cancel or descope contracts in fiscal year 2020 in order to remain solvent.

USCIS's improved financial position and the continued efforts by Congress to ensure the agency's operational continuity warrant a further delay in furloughs and contract reductions. We believe this approach is the appropriate path forward for USCIS and its workforce.

Sincerely,



Shelley Capito, Chairwoman
Subcommittee on Homeland Security
Senate Committee on Appropriations



Lucille Roybal-Allard, Chairwoman
Subcommittee on Homeland Security
House Committee on Appropriations



Jon Tester, Ranking Member
Subcommittee on Homeland Security
Senate Committee on Appropriations



Chuck Fleischmann, Ranking Member
Subcommittee on Homeland Security
House Committee on Appropriations



John Cornyn, Chairman
Subcommittee on Border Security and
Immigration
Senate Committee on the Judiciary



Zoe Lofgren, Chairwoman
Subcommittee on Immigration and
Citizenship
House Committee on the Judiciary



Richard J. Durbin, Ranking Member
Subcommittee on Immigration
Senate Committee on the Judiciary



U.S. Citizenship
and Immigration
Services

September 17, 2020

The Honorable Shelley Moore Capito
Chairwoman
Subcommittee on Homeland Security
Senate Committee on Appropriations
United States Senate
Washington, DC 20510

Dear Chairwoman Capito:

Thank you for your August 21, 2020 letter requesting the delay of the planned U.S. Citizenship and Immigrations (USCIS) furlough. Acting Secretary Wolf asked that I respond on his behalf.

As you are aware, USCIS has cancelled the administration furlough that was scheduled to begin on August 30, 2020. We made this decision based on aggressive and unprecedented spending cuts, our most recent financial projections, and in consultation with the U.S. Department of Homeland Security's and my financial staff.

In addition to severe spending cuts, we have begun taking further proactive measures to sustain our federal workforce until Congress acts. The depth of these cuts is something members of Congress asked us to avoid in the spring, with assurances of providing financial support before their August recess. As such action did not occur, these cost cutting efforts will have an impact on agency operations and will result in the descoping of contracts and a reduction in the number of contractors who assist our federal workforce.

While it is true that our financial situation has somewhat improved due to the increase in revenue and receipts from their historic decline in March and April due to the COVID-19 pandemic, annual receipts and revenue are still below fiscal year (FY) 2020 projections. Without further congressional action, we will be forced to continue taking aggressive cost-reducing actions that will result in additional significant operational adjustments. We anticipate that wait times for pending case inquiries through the USCIS Contact Center will increase, case processing times will increase, and although we will continue conducting naturalization ceremonies, individuals may experience increased wait times in the adjudication of their naturalization applications as there will be fewer contractors to assist our adjudicators in preparing case files for adjudication.

Although we are currently forecasted to end FY 2020 with a carryover balance of non-premium funding in the Immigration Examinations Fee Account to cancel the current administrative furlough, USCIS and our employees are urgently depending on Congress to act—

The Honorable Shelley Moore Capito

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during this budget cycle—on a long-term fix that would provide the necessary financial assistance so that we can maintain financial stability throughout FY 2021. Without such action, a future administrative furlough scenario is still possible.

This continues to be a difficult and uncertain time for our workforce. I remain committed to continuing to work with Congress to obtain the long-term assistance needed to avoid any administrative furlough of USCIS employees in the future.

Thank you for your interest in this important issue. The cosigners of your letter will receive a separate, identical response. Should you require any additional assistance, please have your staff contact the USCIS Office of Legislative Affairs at (202) 272-1940.

Respectfully,

A handwritten signature in blue ink, appearing to be 'J. Edlow', is written over the printed name and title. The signature is fluid and extends to the right.

Joseph Edlow
Deputy Director for Policy